

<b>DEPARTMENT OF HUMAN RESOURCES FAMILY INVESTMENT ADMINISTRATION</b>	<b>FOOD SUPPLEMENT PROGRAM MANUAL</b>	
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## 402.1 Purpose

- A. This section describes the interview requirement, the ways in which the requirement may be met, and the basic content of the interview.
- B. Local departments must establish procedures following these guidelines to ensure accurate and timely service to all households, including special needs households such as elderly, disabled, homeless, working household members and households that contain members who are not proficient in English.

## 402.2 Face to Face Interview

- A. Except for households certified for longer than 12 months and households entitled to a waiver of the face-to-face interview, households must have an interview with a case manager at initial certification and at least once every 12 months thereafter. (See Section 402.4, Waiver of Face to Face Interview, for additional clarification)

### 1. Local Department Option:

- (a) The local department may choose not to interview households at interim recertifications within the 12-month period.
- (b) **This cannot be on a case-by-case basis. The local department must establish categories and procedures that it will apply consistently to all cases to ensure non-discriminatory treatment.**

Example: The case manager assigns a 4-month certification period to a household that is in an unstable situation. The local department can send the household a mail-in application for the next two recertifications and schedule a face-to-face interview at the 12-month interval.

- 2. The policy about waiving the face-to-face interview for hardship reasons applies to the face-to-face interview at 12-month intervals.
- B. The local department cannot require households to report for an in office interview during the certification period.

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## 402.2 Face to Face Interview (continued)

1. Unclear Information
  - (a) The LDSS may send a request for contact (DHR/FIA1052 or CARES letter) to the customer to clarify unclear information.
  - (b) The request for contact may not require the customer to appear for a face-to-face interview but may advise that a face-to-face interview might be in the customer's best interest. (This would primarily be done with regard to a fraud investigation/intentional program violation.)
  - (c) The case manager will close the case after giving adverse action if the customer does not respond to the request for contact.
- C. The individual interviewed may be any responsible member of the household or an authorized representative. The local department must inform the household that the household will be held liable for any over issuance resulting from erroneous information given by the authorized representative.
- D. Residents of drug addict/alcohol treatment centers and group homes may apply only through a representative who is an employee of the center.
- E. Residents of other group living arrangements may apply and be certified on their own behalf through the use of an authorized representative of their own choosing or by a representative employed and designated by the group living arrangement. The group living arrangement and the applicant's mental and physical ability to handle his or her own affairs will determine which method is used.
- F. The interview normally takes place in the local department or other certification site but may be at another mutually acceptable location, including the household's residence. (See Section 402.3 for home visit requirements)
- G. The site of the interview must be arranged to preserve the privacy and confidentiality of the interview.

## 402.3 Home Visits

- A. The face-to-face interview may be conducted at the household's home if a waiver of the office interview is requested.
- B. The **date and time of the home visit must be scheduled in advance** with the household. This can be done either by telephone or letter.

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#### 402.4 Waiver of Face-to-Face Interview

- A. When a face-to-face interview is required, the local department must inform the applicant that it will waive the face-to-face interview in favor of a telephone interview on a case-by-case basis because of hardship situations.
  - B. These hardship situations include, but are not limited to:
    - 1. Illness,
    - 2. Transportation difficulties,
    - 3. Residency in a rural area,
    - 4. Care of a household member,
    - 5. Prolonged severe weather, or
    - 6. **Work or training hours that prevent a household from participating in a face-to-face interview.**
  - C. There is no requirement to verify the hardship situation.
  - D. The case manager can waive the face-to-face interview at both application and recertification.
- For Payment Accuracy: If you grant a waiver of the face-to-face interview, you must complete a telephone interview with a responsible household member or authorized representative prior to finalizing a case.**
- E. Be sure to narrate the case file to document when a household was granted a waiver of the face-to-face interview because of a hardship situation.
  - F. The waiver of the face-to-face interview must not affect the length of the certification period assigned.
  - G. The waiver of the face-to-face interview does not exempt the household from verification requirements.
  - H. Case managers must document the reason for conducting a telephone interview.
  - I. County waivers of the face-to-face interview at recertification:
    - 1. The State has a federal waiver that allows local jurisdictions to waive all face-to-face interviews at recertification. To implement this waiver, the jurisdiction must obtain approval of the standard operating procedure from the Executive Director of FIA.
    - 2. For counties with approved waivers, the face-to-face interview is replaced with a telephone interview.

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#### **402.4 Waiver of Face-to-Face Interview (continued)**

3. For evaluation purposes, in these jurisdictions, the case manager must narrate that the interview was completed by telephone and also on CARES enter "TE" in the Special Circumstances field on the ADDR screen.

#### **402.5 Content of the Interview**

The purpose of the interview is to acquaint the household with certain aspects of the Food Supplement Program (FSP) and to help the case manager determine the household's eligibility.

- A. The interview must be conducted as an official and confidential discussion.
- B. The applicant should be made to feel at ease and the right to privacy maintained.
- C. The scope of the interview may not extend beyond the examination of the household's circumstances directly relating to the determination of the household's eligibility and basis of issuance.
- D. The household may bring anyone it chooses to the interview.
- E. In order to accomplish its purpose, during the interview the local department will:
  1. Advise the applicant of the household's rights and responsibilities. (This includes privacy rights, the right to review the case record, the right to a fair hearing, the responsibility to cooperate and the responsibility to report changes.)
  2. Review the information provided by the applicant to ensure it is complete and accurate.
  3. Assist the applicant to complete the necessary forms associated with the interview process.
  4. Resolve any unclear or inconsistent information with the applicant.
  5. Request any verification necessary beyond that, which is provided by the applicant at the interview.
  6. Advise the household that failure to report or verify the following expenses is considered a statement by the household that it chooses not to receive a deduction for the unreported or unverified expense:

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## 402.5 Content of the Interview (continued)

- (a) Dependent care expenses;
- (b) Shelter expenses;
- (c) Medical expenses; or
- (d) Child Support payments.

**NOTE:** The language in 402.5 (6) above appears on the CARES system-generated Eligibility Determination Document (EDD) and the Rights and Responsibilities Form (9707).

7. Advise the applicant of Electronic Benefit Transfer System (EBTS) procedures. (This information may be provided to the applicant by a volunteer or another employee.)
8. Advise the customer they may apply for more than one program at the same time or they may file a separate food stamp application.
9. Advise the customer that time limits or other requirements that apply to the receipt of TCA do not apply to FSP benefits and if the TCA is closed because the customer has reached the maximum time limit, the customer may still be eligible for FSP benefits.
10. Advise the customer that receiving FSP does not affect the TCA time limit.
11. At the end of the interview (interactive office interview) give the customer the opportunity to review the eligibility determination document (EDD) prior to their signing it and provide a copy for the customer. (For further clarification of the application process see Section 400 of this manual.)

**REMINDER: Do not deny or terminate FSP applications because the customer failed or refused to comply with another program requirement.**

## 402.6 Scheduling Interviews and the Notice of Missed Interview

A. The local department:

1. Must schedule all interviews as promptly as possible to ensure that timeliness standards are met.
2. Should allow a minimum of 10 days to allow the customer to return any required verification.

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## **402.6 Scheduling Interviews and the Notice of Missed Interview (continued)**

- B. If the customer does not appear for the interview, the local department must notify the household that it missed the appointment and that the household is responsible for rescheduling the appointment.
- C. If the household requests a second interview, the local department must schedule one.
- D. **Applicants who come into the local department and cannot be seen the same day must be given an appointment with a specific date and time that the customer will be seen for a face to face interview.**
- E. If the screening process indicates the household meets expedited criteria, the local department must make every effort to interview the household that day if the customer is in the office. If the customer is not in the office, then the local department must schedule the interview so that the household has access to FSP benefits within the expedited time frame. The only exception to this is if the case manager cannot contact the applicant quickly enough to conduct the interview within the expedited time frame. In this case, the case manager will issue FSP benefits as quickly as possible after the interview takes place.
- F. When scheduling an interview on CARES for a household that dropped off or mailed in an application, the local department must take into consideration the mailing time for getting the scheduled interview notice to the customer. Mailing time may add up to three days to the application processing time.

**Reminder: The case manager should offer a telephone interview for any hardship reason. Hardship reasons include, but are not limited to: disability of the applicant, transportation or childcare problems and work hours. A telephone interview can help local departments meet application timeliness requirements.**

## **402.7 Felony Drug Conviction and Substance Abuse Testing**

### **402.71 Background**

With the certain exceptions, individuals applying for or receiving FSP who has been convicted of a drug related felony for an offense committed after August 22, 1996 involving the possession, use, or distribution of a controlled dangerous substance is ineligible for food stamps.

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#### **402.72 Ineligibility due to a Felony Drug Conviction**

- A. An individual applying for FSP benefits who has been convicted of a drug related felony after July 1, 2000 that involved an element of manufacturing, distribution, or possession with intent to distribute a controlled dangerous substance may receive FSP benefits if for two years from the date of application the individual:
  - 1. Submits to testing for substance abuse, and
  - 2. Submits to treatment under the guidelines established by the LDSS, if needed, and
  - 3. Meets all other eligibility requirements.
- C. An Individual receiving FSP benefits who is convicted after July 1, 2000 of a drug related felony involving the manufacture, distribution, or possession with the intent to distribute a controlled dangerous substance is:
  - 1. Ineligible for FSP for one year from the date of conviction, and
  - 2. Is subject to testing and treatment for substance abuse for a period of two years starting from the later of the date when the custodial parent is:
    - (a) Released from incarceration,
    - (b) Completes any term of probation,
    - (c) Completes any term of parole and mandatory supervision.

#### **402.73 The Role of the Case Manager**

- A. The Case manager must:
  - 1. Complete the interview and the related application or redetermination procedures.
  - 2. Review the Rights and Responsibility Form (DHR/FIA CARES 9707) with the applicant and obtain his signature.
  - 3. **Determine** if an individual in the household has been convicted of a drug-related felony.
  - 4. Inform the individual who has been convicted of a drug related felony that to receive benefits he or she must be screened by the addictions specialist and referred for a drug test.

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#### **402.73 The Role of the Case Manager (continued)**

5. Inform the customer who has been convicted of a drug related felony of mandatory compliance with the Family Investment Program (FIP) Substance Abuse Treatment (SAT) and Services Program
  6. Refer the individual convicted of a drug-related felony to the addictions specialist for screening and drug testing.
  7. Complete a Substance Abuse Screening Referral (DHR/FIA 1177) form. Write "**convicted drug felon**" in the top portion of the form next to the zip code.
- B. The addictions specialist returns the form within 10 days advising whether the customer is in compliance.

#### **402.74 Compliance**

- A. The addictions specialist advises the case manager of the action being taken with the customer for comprehensive assessment and drug testing and whether the customer is in compliance.
- B. Customers are in compliance if the customer:
1. Completed the drug test.
  2. Is awaiting availability of a treatment facility.
  3. Is enrolled in a treatment program.
  4. Has successfully completed a treatment program or was referred to a new program, or
  5. The results of the comprehensive assessment indicate no need for treatment.
- C. Customers are always work registered unless they are otherwise exempt from work registration requirements. Refer to Section 130 of the FSP manual to determine the individual's status.
- D. Individuals who have a felony drug conviction **are not** entitled to a 30-day conciliation period.
- E. Send the adverse action notice and allow adverse action time before removing the individual convicted of a drug-related felony from the household.